

1  
2 TOWN OF JUNO BEACH, FLORIDA  
3

4 ORDINANCE NO. 648  
5

6 AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF JUNO  
7 BEACH, FLORIDA, ANNEXING APPROXIMATELY 5.82 ACRES OF  
8 REAL PROPERTY KNOWN AS THE HOLY SPIRIT LUTHERAN  
9 CHURCH, LOCATED ON THE EAST AND WEST SIDES OF ELLISON  
10 WILSON ROAD AND NORTH OF ROLLING GREEN ROAD, AS MORE  
11 PARTICULARLY DESCRIBED HEREIN; DECLARING THAT THE  
12 VOUNTARY ANNEXATION OF THE PROPERTY MEETS ALL LEGAL  
13 CRITERIA; DIRECTING TOWN STAFF TO DO ALL THINGS  
14 NECESSARY TO EFFECTUATE SAID ANNEXATION; PROVIDING FOR  
15 CONFLICTS, SEVERABILITY AND AN EFFECTIVE DATE; AND FOR  
16 OTHER PURPOSES.  
17

18 WHEREAS, the Town Council for the Town of Juno Beach has received a written  
19 petition from Holy Spirit Lutheran Church, Inc., the owner of a parcel of real property  
20 more particularly described in Exhibit "A" ("Property") requesting that the Property be  
21 annexed into the Town; and  
22

23 WHEREAS, the Town Council determines that the annexation meets the criteria  
24 for voluntary annexation set forth in Section 171.044, Florida Statutes, in that the  
25 Property is currently located within unincorporated Palm Beach County, is contiguous to  
26 the Town, is reasonably compact, and the annexation of the Property will not result in  
27 the creation of enclaves; and  
28

29 WHEREAS, the annexation is consistent with Policies 5.3 and 7.1 of the Future  
30 Land Use Element of the Town's Comprehensive Plan; and  
31

32 WHEREAS, the Town Council has determined that the annexation of the  
33 Property into the Town is in the best interests of the public health, safety and welfare.  
34

35 NOW, THEREFORE, BE IT ORDAINED BY THE TOWN COUNCIL OF THE  
36 TOWN OF JUNO BEACH, FLORIDA as follows:  
37

38 **Section 1.** The foregoing "Whereas" clauses are hereby ratified as true and  
39 correct and are incorporated herein.  
40

41 **Section 2.** The Town Council determines that the written Petition for Voluntary  
42 Annexation ("Petition"), attached hereto as Exhibit "B" and incorporated herein by this  
43 reference, bears the signatures of all owners of the Property.

**Section 3.** The Town hereby approves the Petition and annexes into the Town the 5.82 acres of real property described in Exhibit "A" attached hereto and incorporated herein by this reference in accordance with the provisions of Section 171.044, Florida Statutes.

**Section 4.** The Town Council hereby directs Town Staff to: (1) file a copy of this Ordinance with the Clerk of the Circuit Court, the Chief Administrative Officer of Palm Beach County, and the Secretary of State; (2) amend the legal description set forth in the Town Charter and all official Town maps to include the Property; and (3) take all other actions necessary to effectuate the annexation of the Property into the Town.

**Section 5.** All ordinances or parts of ordinances of the Town of Juno Beach, Florida, which are in conflict with this Ordinance, are hereby repealed to the extent of such conflict.

**Section 6.** If any section, paragraph, sentence, clause, phrase, or word of this Ordinance is for any reason held by a court of competent jurisdiction to be unconstitutional, inoperative or void, such holding shall not affect the remainder of the Ordinance.

**Section 7.** This Ordinance shall be effective immediately upon adoption.

FIRST READING this 9<sup>th</sup> day of November, 2011.

SECOND, FINAL READING AND ADOPTION this 14<sup>th</sup> day of December, 2011.

☒ AYE

☐ NAY

  
MORTON LEVINE, MAYOR

☐ AYE

☐ NAY

  
BILL GREENE, VICE MAYOR

☒ AYE

☐ NAY

  
ELLEN ANDEL, VICE MAYOR PRO TEM

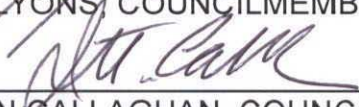
☒ AYE

☐ NAY

  
JIM LYONS, COUNCILMEMBER

☒ AYE

☐ NAY

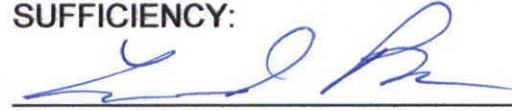
  
JOHN CALLAGHAN, COUNCILMEMBER

1 ATTEST:

APPROVED AS TO FORM AND LEGAL  
SUFFICIENCY:

2  
3  
4 

5 VANESSA M. DUNHAM  
6 TOWN CLERK



LEONARD G. RUBIN  
TOWN ATTORNEY



**EXHIBIT "A"**

THAT PORTION OF THE EAST HALF (E ½) OF THE SOUTHEAST QUARTER (SE ¼) OF SECTION 29, TOWNSHIP 41 SOUTH, RANGE 43 EAST, PALM BEACH COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

THE NORTH 538.39 FEET OF THE SOUTH 1876.78 FEET OF SAID EAST HALF (E ½) OF THE SOUTHEAST QUARTER (SE ¼) OF SECTION 29, LYING EASTERLY OF THE EAST RIGHT-OF-WAY LINE FOR ROLLING GREEN ROAD, AS RECORDED IN OFFICIAL RECORDS BOOK 1068, PAGE 174 OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA.

LESS THE RIGHT-OF-WAY OF ELLISON WILSON ROAD AS RECORDED IN OFFICIAL RECORD BOOK 539, PAGE 490 OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA.

THE PALM BEACH POST  
Published Daily and Sunday  
West Palm Beach, Palm Beach County, Florida

PROOF OF PUBLICATION

STATE OF FLORIDA  
COUNTY OF PALM BEACH

Before the undersigned authority personally appeared **Ellen Sanita**, who on oath says that she is **Call Center Revenue Manager** of The Palm Beach Post, a daily and Sunday newspaper, published at West Palm Beach in Palm Beach County, Florida; that the attached copy of advertising for a **Notice** in the matter **Ordinance 648** was published in said newspaper in the issues of **November 30, 2011**. Affiant further says that the said The Post is a newspaper published at West Palm Beach, in said Palm Beach County, Florida, and that the said newspaper has heretofore been continuously published in said Palm Beach County, Florida, daily and Sunday and has been entered as second class mail matter at the post office in West Palm Beach, in said Palm Beach County, Florida, for a period of one year next preceding the first publication of the attached copy of advertisement; and affiant further says that she/he has neither paid nor promised any person, firm or corporation any discount rebate, commission or refund for the purpose of securing this advertisement for publication in the said newspaper. Also published in Martin and St. Lucie Counties.

*(Signature)*

Sworn to and subscribed before the 30<sup>th</sup> day of November, 2011.  
Who is personally known to me.

*(Signature)*

NOTARY PUBLIC-STATE OF FLORIDA  
**Karen M. McLinton**  
Commission # DD832672  
Expires: NOV. 15, 2012  
BONDED THRU ATLANTIC BONDING CO., INC.

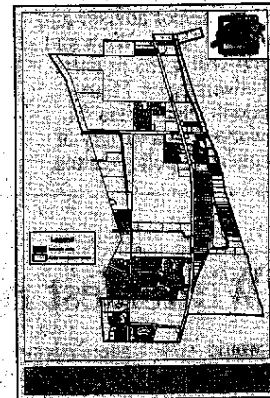
NO. 6371584R  
**TOWN OF JUNO BEACH, FLORIDA**  
**NOTICE OF VOLUNTARY**  
**ANNEXATION**

The Town of Juno Beach, Florida, hereby gives notice of its intention to adopt an ordinance annexing the following described real property into the Town of Juno Beach in accordance with Section 171.044, Florida Statutes:

ORDINANCE NO. 648

AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF JUNO BEACH, FLORIDA, ANNEXING APPROXIMATELY 5.82 ACRES OF REAL PROPERTY KNOWN AS THE HOLY SPIRIT LUTHERAN CHURCH, LOCATED ON THE EAST AND WEST SIDES OF ELLISON WILSON ROAD AND NORTH OF ROLLING GREEN ROAD, AS MORE PARTICULARLY DESCRIBED HEREIN; DECLARING THAT THE VOLUNTARY ANNEXATION OF THE PROPERTY MEETS ALL LEGAL CRITERIA; DIRECTING TOWN STAFF TO DO ALL THINGS NECESSARY TO EFFECTUATE SAID ANNEXATION; PROVIDING FOR CONFLICTS, SEVERABILITY AND AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

The Property consists of a segment of approximately 5.82 Acres of Real Property known as the Holy Spirit Lutheran Church, located on the east and west sides of Ellison Wilson Road and North of Rolling Green Road



The Town Council will conduct a public hearing on second and final reading of Ordinance No. 648 on Wednesday, December 14, 2011 at 5:30 p.m. at Juno Beach Town Center, 340 Ocean Drive, Juno Beach, Florida. All members of the public are invited to appear at the public hearing, which may be continued from time to time, and be heard with respect to this matter. A copy of the ordinance and a complete metes and bounds description of the property to be annexed are on file at the Town Clerk's Office for inspection by members of the public.

If a person decides to appeal any decision made with respect to any matter considered at the subject meeting, he or she will need to ensure that a verbatim record of the proceedings is made, which record shall include the testimony and evidence upon which the appeal is to be based (F.S. 286.0105). In accordance with the Americans with Disabilities Act, any person who may require special accommodation to participate in this meeting should contact the Town Clerk's Office at 626-1122 at least 72 hours prior the meeting date.

**PUB: The Palm Beach Post**  
November 30, 2011 and December 7, 2011